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82D CONGRESS, 1st Session | SENATE | REPORT No. 802

GEORGETTE SATO

SEPTEMBER 24 (legislative day, SEPTEMBER 19), 1951.—Ordered to be printed

Mr. MCCARRAN, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany S. 1499]

The Committee on the Judiciary, to which was referred the bill (S. 1499) for the relief of Georgette Sato, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to waive the racial barrier to admission into the United States for a minor half-Japanese child in the custody of Sgt. and Mrs. John H. Williams, who are citizens of the United States. The child would be considered to be a nonquota immigrant which is the status normally enjoyed by the alien minor children of citizens of the United States.

STATEMENT OF FACTS

The beneficiary of the bill was born in Japan on May 22, 1950, of a Japanese mother and an American soldier. The child is presently in the custody of Sgt. and Mrs. John H. Williams who are citizens of the United States. Sergeant Williams is on duty with our Armed Forces in Japan and he and Mrs. Williams have received the child from an orphanage in Japan.

A letter dated September 12, 1951, to the chairman of the Senate Committee on the Judiciary from the Deputy Attorney General with reference to the case reads as follows:

SEPTEMBER 12, 1951.

Hon. PAT MCCARRAN,
Chairman, Committee on the Judiciary,
United States Senate, Washington, D. C.

MY DEAR SENATOR: This is in response to your request for the views of the Department of Justice relative to the bill (S. 1499) for the relief of Georgette Sato, an alien.

The bill would provide that, solely for the purpose of sections 4 (a) and 9 of the Immigration Act of 1924, as amended, and notwithstanding any provisions excluding from admission to the United States persons of races ineligible to citizenship, Georgette Sato, a minor half-Japanese child, shall be considered the alien natural-born child of Sergeant and Mrs. John H. Williams, citizens of the United States.

The files of the Immigration and Naturalization Service of this Department disclose that the alien, a native and citizen of Japan, who is racially 50-percent Japanese, was born on May 22, 1950. She is presently residing in Japan with her prospective adoptive parents, Sergeant and Mrs. John H. Williams, citizens of the United States. The alien's father was a Caucasian by race and an American soldier who was killed in action in the Korean theater of war while a member of the Twenty-first Infantry Regiment of the United States Army. Her mother is Japanese and, according to the record, placed the child in an orphanage in Kyushu, Japan. Sergeant Williams stated that he entered the military service at Pittsburgh, Pa., on May 1, 1941, was sent overseas to Japan in 1946, and returned to the United States on reenlistment leave in April 1949. He further stated that he obtained a divorce from his first wife on May 14, 1949, and married Mrs. Eva B. Robinson on June 4, 1949, at Cincinnati, Ohio. He advised that he returned to Japan on July 19, 1949, and that his wife and minor stepdaughter arrived in Japan on November 14, 1949. Sergeant Williams stated that his wife was born on April 2, 1910, at Cincinnati, Ohio.

The alien, being racially 50 percent Japanese, is ineligible for citizenship under section 303 of the Nationality Act of 1940, and is therefore, inadmissible to the United States for permanent residence under section 13 (c) of the Immigration Act of 1924. In the absence of special legislation Sergeant and Mrs. Robinson will be unable to bring the child with them when they return to the United States.

Whether, under the circumstances in this case, the general provisions of the immigration laws should be waived presents a question of legislative policy concerning which the Department of Justice prefers not to make any recommendation.

Yours sincerely,

———— ————,
Deputy Attorney General.

Senator Robert A. Taft, the author of the bill, has submitted the following information in support of the bill:

CAMP WOOD, APO 37,
July 13, 1951.

Hon. ROBERT A. TAFT,
United States Senate, Washington, D. C.

DEAR SENATOR TAFT: In reply to your letter of June 25, 1951, regarding bill S. 1499, the following information is furnished as requested:

I was born on June 11, 1910, at Lexington, Ky., where I resided for approximately 28 or 29 years. I was married to Miss Alberta Gregory on May 14,1932 at Lexington, Ky., where I was employed on various jobs until the spring of 1939, when I moved to Pittsburgh, Pa. I was employed in Pittsburgh by Mr. Louis Crittelli as caretaker for his summer home located at Gibsonia, Pa., resigning when my wife became ill and was admitted to a hospital in Pittsburgh. I entered the military service at Pittsburgh, Pa., on May 1, 1941, and was sent overseas to Japan in 1946. I returned to the States on a reenlistment leave in April 1949, obtained a divorce from my wife on May 14, 1949, and married Mrs. Eva B. Robinson on June 4, 1949, at Cincinnati, Ohio. I returned to Japan on July 19, 1949. My wife and stepdaughter, Barbara Mae Robinson, arrived in Japan November 14, 1949.

My wife, Mrs. Eva B. Williams, was born on April 2, 1910, at Cincinnati, Ohio, as Eva B. Bach. At the age of 17 she was employed as a laundry worker by the Superior Laundry & Towel Supply Co., Cincinnati, Ohio, where she remained until she joined me in Japan in November 1949. She was married previously to Mr. William Robinson, present address unknown, and has a daughter, Barbara Mae Robinson, by this marriage.

Enclosed is a list of my closest relatives in the United States and three additional references from officers assigned this headquarters.

Answers to the questions contained in your letter from the United States Senate Committee on the Judiciary, June 14, 1951, are as follows:

1. My wife and myself are natural-born United States citizens.

2. My present occupation is supply sergeant of the Camp Wood Composite Service Company, APO 37, during regular duty hours, with additional duties after duty hours as snack bar manager. My wife is not employed.

3. I support myself and family solely from my income from the Army.

4. Neither my wife nor myself are or ever have been engaged in any activities, political or otherwise, injurious to the American public interest.

5. Neither my wife nor myself have been convicted of an offense under any Federal or State law.

The actual date of the baby's birth is May 22, 1950, as shown by the baptismal certificate.

I trust the above information will enable you to bring this matter to a conclusion as quickly as possible.

Sincerely,

JOHN H. WILLIAMS,
SFC, RA33038020 Camp Wood Composite Service Company, 8022d Army Unit APO 37, care of Postmaster, San Francisco, Calif.

HEADQUARTERS, CAMP WOOD, APO 37,
July 13, 1951.

Sworn and subscribed to before me this date.

ROBERT E. MCLAUGHLIN,
WOJG United States Army, Assistant Adjutant.

POST EXCHANGE BRANCH NO. 803,
OFFICE OF THE ASSISTANT EXCHANGE OFFICER,
Camp Wood, APO 37, July 6, 1951.

Subject: Character reference.

To Whom It May Concern:

During the period from September 1950 through June 1951, S1c John H. Williams has been assigned as manager of the branch exchange No. 803 snack bar.

As his immediate supervisor during these 9 months I have found S1c Williams to be loyal, faithful, trustworthy and efficient, and his character excellent.

From occasional observations I have found that S1c Williams devotes as much time as possible to his home life and has a happy and harmonious family.

I recommend S1c John H. Williams for any position, appointment, or advancement for which he may be considered.

B. J. KRAMKOWSKI, Jr.,
Captain, QMC, Assistant Exchange Officer.

FIFTH ARMY POSTAL UNIT,
APO 37, July 6, 1951.

Williams, John H., S1c.
Subject: Letter of reference.
To: Whom it may Concern.

1. S1c John H. Williams was at Camp Wood when I arrived in December 1950, I have known him and his family over a period of 7 months, I have had the opportunity to observe him in the performance of his many duties at Camp Wood since I have been here.

2. His duty assignment at the present time is supply sergeant for the Eight Thousand and Twenty-second Army Unit, during normal duty hours, and he is manager of the snack bar, a post exchange concession, after duty hours.

3. I know his wife and children and can happily say that they maintain a typical American home, this in my estimation is a great tribute to our American way of life. He conducts himself in a soldierly manner, is very courteous and has an excellent character.

FRANK C. EUBANKS, Jr.,
First Lieutenant, Infantry, Commanding.

CAMP WOOD COMPOSITE SERVICE COMPANY,
8022ND ARMY UNIT,
APO 37, July 6, 1951.

Williams, John H. (Enl), RA 33038020.
Subject: Letter of reference.

To Whom It May Concern:

1. Sgt. (1c) John H. Williams has been in my command for the past 6 months. He has been assigned responsible jobs at all times, and is considered to be an efficient, honest, and trustworthy soldier by all who have contact with him.

2. At the present time he is my supply sergeant, an assignment which calls for a man of the highest degree of integrity, ability, and honesty. Sergeant Williams possesse. these traits and has my utmost confidence.

3. I know Sergeant Williams' wife and can safely say that they maintain a model home, whi h is a tribute to American and Christian home life.

CHARLES T. DELORIMIER,
First Lieutenant, Artillery, Commanding.

AFFIDAVIT

KUMAMOTO, KYUSHU, JAPAN (APO 37), *June 7, 1951.*

We, Sisters Stanislaus, Agnes, Bernadette, and Clotilde, members of the Order of the Infant Jesus, and of the Tenshien Orphanage at Kumamoto, Kyushu, Japan, do make the following statement:

Georgette Sato, a former ward of the Tenshien Orphanage, was brought to the orphanage by her mother and was placed in our care. The mother of the baby would not reveal the name of the baby's father. However, she did say that the baby's father was a member of the United States Army, stationed at Camp Wood, Kumamoto, Kyushu, Japan, with the Twenty-first Infantry Regiment, Twenty-fourth Infantry Division.

To the best of our knowledge and belief, the father of the above child is a member of the Caucasian race.

SISTER AGNES,
SISTER BERNADETTE,
SISTER CLOTILDE,
SISTER STANISLAUS.

Sworn and subscribed to before me this date, June 7, 1951.

ROBERT E. MCLAUGHLIN,
WOJG, United States Army, Assistant Adjutant, Camp Wood, APO 37.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (S. 1499) should be enacted.

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